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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,
9 Plaintiff,
10 v.
11 AARON FERGUSON,
12 Defendant.

2:21-CR-117-JCM-VCF
Preliminary Order of Forfeiture

13 This Court finds Aaron Ferguson pled guilty to Count One of a One-Count Criminal
14 Information charging him with sexual exploitation of children in violation of 18 U.S.C. §
15 2251(a). Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement,
16 ECF No. __.

17 This Court finds Aaron Ferguson agreed to the forfeiture of the property set forth in
18 the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal
19 Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

20 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United
21 States of America has shown the requisite nexus between property set forth in the Plea
22 Agreement and the Forfeiture Allegation of the Criminal Information and the offense to
23 which Aaron Ferguson pled guilty.

24 The following property is (1) any visual depiction described in 18 U.S.C. § 2251, or
25 any book, magazine, periodical, film, videotape, or other matter which contains any such
26 visual depiction, which was produced, transported, mailed, shipped or received in violation
27 of 18 U.S.C. § 2251(a) or (2) any property, real or personal, used or intended to be used to
28 commit or to promote the commission of 18 U.S.C. § 2251(a) or any property traceable to

1 such property, and is subject to forfeiture pursuant to 18 U.S.C. § 2253(a)(1) and (a)(3): a
2 Samsung Galaxy S10 cellular phone, IMEI: 352330100413488 (property).

3 This Court finds that on the government's motion, the Court may at any time enter
4 an order of forfeiture or amend an existing order of forfeiture to include subsequently
5 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
6 32.2(b)(2)(C).

7 This Court finds the United States of America is now entitled to, and should, reduce
8 the aforementioned property to the possession of the United States of America.

9 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
10 DECREED that the United States of America should seize the aforementioned property.

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
12 rights, ownership rights, and all rights, titles, and interests of Aaron Ferguson in the
13 aforementioned property are forfeited and are vested in the United States of America and
14 shall be safely held by the United States of America until further order of the Court.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
16 of America shall publish for at least thirty (30) consecutive days on the official internet
17 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
18 describe the forfeited property, state the time under the applicable statute when a petition
19 contesting the forfeiture must be filed, and state the name and contact information for the
20 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
21 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,
22 the government may instead serve every person reasonably identified as a potential claimant
23 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.
24 Rule G(4)(a)(i)(A).

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
26 or entity who claims an interest in the aforementioned property must file a petition for a
27 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
28 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §

1 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
2 right, title, or interest in the forfeited property and any additional facts supporting the
3 petitioner's petition and the relief sought.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
5 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
6 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
7 not sent, no later than sixty (60) days after the first day of the publication on the official
8 internet government forfeiture site, www.forfeiture.gov.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
10 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
11 Attorney's Office at the following address at the time of filing:

12 Daniel D. Hollingsworth
13 Assistant United States Attorney
14 James A. Blum
15 Assistant United States Attorney
16 501 Las Vegas Boulevard South, Suite 1100
17 Las Vegas, Nevada 89101.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
19 described herein need not be published in the event a Declaration of Forfeiture is issued by
20 the appropriate agency following publication of notice of seizure and intent to
21 administratively forfeit the above-described property.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
23 copies of this Order to all counsel of record.

24 DATED June 9, 2021.
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24 JAMES C. MAHAN
25 UNITED STATES DISTRICT JUDGE
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